



11324 U.S. PTO

Practitioner's Docket No. 200047.150

PATENT U.S. PTO  
22264 10/726134



Preliminary Classification:

Proposed Class:

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Gary D. Niehaus; Christopher J. Woolverton; Oleg D. Lavrentovich

For (title): Detection and amplification of ligands

1. Type of Application

This application is for a continuation.

2. Benefit of Prior U.S. Applications (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR  
U.S. APPLICATIONS CLAIMED.

**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\***

(Express Mail label number is *mandatory*.)

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I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date  
\_December 1, 2003\_ in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail  
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Date: \_December 1, 2003\_

Michelle E. Hujar

Type or print name of person mailing paper

Michelle E. Hujar

Signature of person certifying

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

34 Page(s) of Specification

**3** Page(s) of Claims

11 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

1 Page(s) of abstract

**4. Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all of the above-named inventors.

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

**7. Assignment**

An assignment of the invention to Kent State University will follow.

**8. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application

| CLAIMS AS FILED                                |                  |   |              |                   |      |        |  |        |   |
|--|------------------|---|--------------|-------------------|------|--------|--|--------|---|
|  | Number Filed     |   | Number Extra |                   | Rate |        | Basic Fee<br>37 C.F.R. § 1.16(a)<br>\$770.00 |        |   |
| Total<br>Claims (37 C.F.R. §<br>1.16(c))       | 19 <del>50</del> | - | 20           | = 0 <del>30</del> | x \$ | 18.00  | = \$   | 540.00 | 0 |
| Independent<br>Claims (37 C.F.R. §<br>1.16(b)) | 3 <del>4</del>   | - | 3            | = 0               | x \$ | 86.00  | = \$   | 86.00  | 0 |
| Multiple Dependent Claim(s)                    |                  |   |              |                   | \$   | 290.00 | \$   | 0.00   |   |

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if any (37 C.F.R. § 1.16(d))

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Filing Fee Calculation

~~\$1,396.00~~

770.00

**9. Assertion of Small Entity Status**

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27. Status as a small entity was asserted in the prior application 09/821,396 filed on March 29, 2001 from which benefit is being claimed for this application under 35 U.S.C. § 119(e) and which status as a small entity is still proper and asserted for this application.

Filing Fee Calculation (50% of above Filing Fee Calculation)

~~\$698.00~~

\$ 385.00

**10. Fee Payment Being Made at This Time**

Not Enclosed

No filing fee is to be paid at this time.

**11. Authorization to Charge Additional Fees**

The Office is hereby authorized to charge, (15-0450) in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

**12. Instructions as to Overpayment**

Refund.

**ADDED SECTION FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED  
(37 C.F.R. § 1.78)**

**13. Relate Back**

Amend the specification by inserting, before the first line following the title, the following sentence:

**A. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a continuation of copending application of copending application Application number 09/821,396 filed on March 29, 2001."

**14. Maintenance of Copendency of Prior Application**

**A. Extension of Time in Prior Application**

A petition, fee and response extends the term in the pending **prior** application until November 29, 2003.

A **copy** of the petition filed in prior application is attached.

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- (a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

**16. Abandonment of Prior Application**

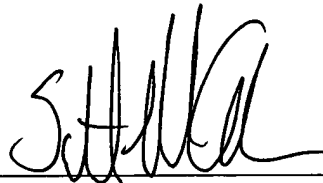
Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

**17. Small Entity (37 C.F.R. § 1.28(a))**

Applicant has established small entity status by the filing of a statement in parent application 09/821,396 on March 29, 2001.

**18. NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.



\_\_\_\_\_  
Signature of Practitioner

Reg. No.: 32,712  
Tel. No.: 330-864-5550  
Customer No.: 021324

Scott M. Oldham  
Hahn Loeser & Parks LLP  
Twin Oaks Estate  
1225 W. Market Street  
Akron, OH 44313

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gary D. Niehaus, Christopher J. Woolverton and Oleg D. Lavrentovich

Application No.: 09/821,396

Group No.: 1641

Filed: March 29, 2001

Examiner: Do, P.

For: Detection and amplification of ligands

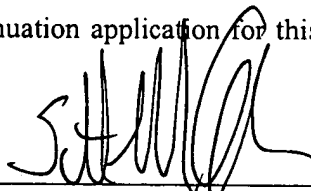
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTIFICATION OF FILING OF CONTINUING,  
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a continuation application for this case concurrently herewith.



Signature of Practitioner

Reg. No.: 32,712

Tel. No.: 330-864-5550

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Akron, OH 44313

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

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37 C.F.R. § 1.8(a)

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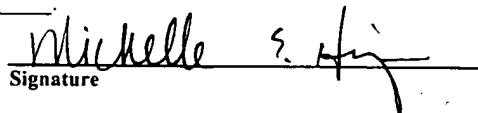
37 C.F.R. § 1.10\*

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facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_



Signature

Date: December 1, 2003

Michelle E. Hujar

(type or print name of person certifying)

\* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.